

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
FOR THE DEPARTMENT OF COMMERCE

In the Matter of Home Funding
Corporation, Homeland Financial
Corporation and James Hoffman

**FIFTH
PREHEARING ORDER**

A telephone conference was held on May 24, 2007. Michael J. Tostengard, Assistant Attorney General, 445 Minnesota Street, Suite 900, St. Paul, MN 55101-2130, appeared on behalf of the Department of Commerce (Department). Ryan M. Pacyga, Lamey & Pacyga, P.A., 980 Inwood Avenue North, Woodbury, MN 55128, appeared on behalf of James Hoffman, Homeland Financial Corporation, and Home Funding Corporation (Respondents).

This matter has been pending for some time, awaiting the outcome of parallel civil litigation. The parties have engaged in settlement discussion, but Mr. Hoffman may also be subject to a criminal proceeding and wants to review the matter with his criminal lawyer prior to entering into an agreement with the Department. The parties have agreed to set another status conference for July 9, 2007. In the event that the matter has not been resolved, counsel for Respondents shall file a motion to stay the proceeding prior to that date.

IT IS HEREBY ORDERED:

1. A Prehearing Conference will be held by telephone **July 9, 2007, at 1:30 p.m.**, to discuss the status of the case. The Administrative Law Judge will initiate the call to the telephone number listed on each Notice of Appearance. Counsel are directed to notify the Administrative Law Judge of any change in the contact information for that date.

2. In the event that the matter has not been resolved by the parties, the Respondent shall file a motion to stay the administrative proceedings no later than July 6, 2007, and a schedule to address the motion will be discussed during the Prehearing Conference.

Dated this 31st day of May 2007.

/s/ Beverly Jones Heydinger
BEVERLY JONES HEYDINGER
Administrative Law Judge

